

Hall	Reagan
Hardeman	Richter
Hazlewood	Schwartz
Herring	Snelson
Hightower	Spears
Kazen	Strong
Parkhouse	Watson
Ratliff	Word

**Nays—4**

Colson	Patman
Kennard	Rogers

**Absent**

Harrington

**Absent—Excused**

Krueger	Moore
---------	-------

**Memorial Resolutions**

S. R. No. 77—By Senator Watson: Memorial resolution for Charles R. Yancey.

S. R. No. 78—By Senator Watson: Memorial resolution for the Reverend P. L. Caperton.

**Welcome Resolutions**

S. R. No. 76—By Senator Harrington: Extending welcome to Loither Adams, Jr., of China, Texas.

S. R. No. 81—By Senator Watson: Extending welcome to Mrs. James Percy and Mrs. Leo Bradshaw Jr. of Waco.

S. R. No. 82—By Senator Watson: Extending welcome to Dr. Charles R. Stewart of Waco and Mart.

S. R. No. 83—By Senator Watson: Extending welcome to Jimmy DeGrazier of Waco.

S. R. No. 84—By Senator Watson: Extending welcome to George Vowell of McGregor and Bobby Donaldson of Moody and Waco.

S. R. No. 85—By Senator Schwartz: Extending welcome to James J. LaJeunesse.

**Adjournment**

On motion of Senator Blanchard the Senate at 11:23 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

**FOURTEENTH DAY**

(Tuesday, February 9, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Presentation of Guests**

Senator Aikin by unanimous consent presented as guests of the Senate today the following nominees of the Governor for The Texas Commission on Higher Education:

Sam Rayburn Bell of Paris, Lamar County; Joseph A. Chandler of Stephenville, Erath County; Dr. Joaquin Gonzalez Cigarroa, Jr., of Laredo, Webb County; J. C. Looney of Edinburg, Hidalgo County; and Dan C. Williams of Dallas, Dallas County.

**Message From the House**

Hall of the House of Representatives,  
Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate

amendments to H. C. R. No. 18 by non-record vote.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

### Reports of Standing Committees

Senator Hazlewood submitted the following reports:

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 32, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 156, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 12, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. C. R. No. 6, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Ratliff submitted the following reports:

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 26, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

RATLIFF, Chairman.

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 181, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 157, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 172, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 193, have had the

same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senator Parkhouse submitted the following report:

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 192, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

Senator Watson submitted the following reports:

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to whom was referred S. B. No. 77, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WATSON, Chairman.

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to whom was referred S. B. No. 51, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

WATSON, Chairman.

Austin, Texas,  
February 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Departments and Institutions, to whom was referred S. B. No. 115, have had the same under consideration, and we are instructed to report it back to the Senate with the recom-

mendation that it do pass, and be printed.

WATSON, Chairman.

#### Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Hardeman:

S. B. No. 198, A bill to be entitled "An Act to provide for the Reclassification of patented, unpatented lands of Reeves County and the issuance of a patent or corrected patent with no minerals reserved to the State to conform to said reclassification; and containing an emergency clause."

To the Committee on Counties, Cities and Towns.

By Senator Kazen:

S. B. No. 199, A bill to be entitled "An Act to increase per diem paid members attending regular and called meetings of the Veterans Affairs Commission; amending Subsection (b), Section 3, Article 5787, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

To the Committee on State Affairs.

By Senator Reagan:

S. B. No. 200, A bill to be entitled "An Act amending chapters Five and Six of House Bill No. 29, Acts 58th Legislature, 1963, Chapter 113, page 269, et seq., by deleting sub-sections (1), (2) and (3) of Section 5.05; by adding thereto a new section, numbered 5.17, authorizing savings and loan associations to contract for and receive an interest charge not to exceed Nine Dollars per One Hundred Dollars per annum on the amount of the cash advance on loans not exceeding Five Thousand Dollars which are repayable in substantially equal consecutive monthly installments and by amending section 6.08 thereof to specify how payments may be made on savings accounts in two or more names; and declaring an emergency."

To the Committee on Banking.

By Senator Reagan:

S. B. No. 201, A bill to be entitled "An Act amending subsections (a) and (b) of Article 342-205 of the Texas Banking Code of 1943, same being Acts of the Forty-Eighth Legis-

lature, Chapter 97, page 127, et seq., as amended, to change the qualifications of the Savings and Loan Commissioner and to provide for more than one Deputy Savings and Loan Commissioner; and declaring an emergency."

To the Committee on Banking.

By Senator Strong:

S. B. No. 202, A bill to be entitled "An Act amending Article 11.04 of Chapter 11 of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491) by providing that the first annual meeting of all of the policyholders of each mutual life insurance company insuring the lives of individuals on the mutual level premium, legal reserve plan, be changed from the second Tuesday in March after it shall have received a certificate of authority to transact the business of life insurance and annually thereafter, to the fourth Tuesday in April after it shall have received a certificate of authority to transact the business of life insurance, and annually thereafter, or to such other day prior to April 30 of each year after the first year as the bylaws of the company may prescribe; by providing that when the Board of Directors of a mutual life insurance company insuring the lives of individuals on the mutual level premium, legal reserve plan, shall consist of nine or more members the bylaws of the corporation may provide for staggered terms of office of the directors by providing that directors be divided into either two or three classes; by providing for special meetings of policyholders of mutual life insurance companies insuring the lives of individuals on the mutual level premium, legal reserve plan; by providing that each policyholder of a mutual life insurance company insuring the lives of individuals on the mutual level premium, legal reserve plan shall be entitled to one vote for each Five Hundred (\$500.00) Dollars of insurance held by him at special meetings of policyholders; by providing that any policyholder of a mutual life insurance company insuring the lives of individuals on the mutual level premium, legal reserve plan may execute his proxy authorizing and entitling the holder to exercise his voting powers, unless such proxy shall be revoked previous to such special meeting; repealing conflicting laws;

providing for severability; and declaring an emergency."

To the Committee on Insurance.

By Senator Hazlewood:

S. B. No. 203, A bill to be entitled "An Act amending House Bill 619, Chapter 201 Acts of the 58th Legislature, Regular Session, 1963 (Article 2654e, V.T.C.S.) to provide for the exemption of an increased number of students from the other nations of the American hemisphere from payment of tuition fees to institutions of collegiate rank; providing certain procedures for granting such exemptions; repealing conflicting laws; and declaring an emergency."

To the Committee on Education.

By Senator Moore:

S. B. No. 204, A bill to be entitled "An Act investing the Board of Directors of Texas A & M University with the sole and exclusive management and control of lands and mineral interests under its jurisdiction and that may be acquired by it; authorizing said Board of Directors to convey lands to other units and agencies of government; and where not otherwise authorized by existing law so to do, to sell said lands or lease the surface thereof under such terms and conditions as it may deem best in the public interest; providing for retention and disposition of the proceeds; authorizing said Board of Directors to purchase and lease land for the use of any part of The Texas A & M University System when, in its judgment, such land should be acquired for the educational and service needs of any part of The Texas A & M University System when funds are available for such purpose; making this Act cumulative; and declaring an emergency."

To the Committee on State Affairs.

By Senator Blanchard:

S. B. No. 205, A bill to be entitled "An Act to amend Chapter Twenty-One of the Insurance Code (Acts 1951, 52nd Legislature, Chapter 491, as amended) by adding thereto a new Article to be designated Article 21.48 providing that said Article shall be known as the 'Insurance Company Insider Trading and Proxy Regulation Act'; providing that every person who is directly or indirectly the owner of more than ten per cent of any equity security of a domestic stock

insurance company or who is a director or officer of any such company, shall file periodic reports with the State Board of Insurance showing the amount of all equity securities of such company of which he is the beneficial owner and showing all changes in such ownership; providing that any profit realized by any such person from the purchase and sale or sale and purchase of such equity security within any period of less than six months shall inure to and be recoverable by the company and that suit for such recovery may be instituted within two years by the company or in the name of the company by the owner of any security of such company; providing that it shall be unlawful for any such person to directly or indirectly sell any such equity security if he or his principal does not own it or owning it does not deliver or mail it within specified periods of time; providing that it shall be unlawful for any person, in contravention of rules and regulations of the State Board of Insurance, to solicit or permit the use of his name to solicit any proxy, consent or authorization with respect to any such equity security not listed on a national securities exchange registered in accordance with the Securities Act of 1934 as amended; providing certain exemptions and definitions and that the State Board of Insurance shall have power to make rules and regulations."

To the Committee on Insurance.

By Senator Ratliff:

S. B. No. 206, A bill to be entitled "An Act amending paragraph numbered 4 of Section 1 of Chapter 528, Acts of the 54th Legislature, Regular Session, 1955, so as to provide that a common school district operating under such law may select a tax assessor-collector and proceed in the assessment, equalization and collection of taxes in the manner provided by law for independent school districts; declaring the purpose and intent of such law; and declaring an emergency."

To the Committee on Education.

By Senator Cole:

S. B. No. 207, A bill to be entitled "An Act to prohibit governmental bodies from holding meetings which are closed to the public; defining the term "governmental body"; making certain exceptions; providing for

relief by mandamus or injunction to prevent closed meetings; making unlawful certain acts pertaining to closed meetings and prescribing a penalty therefor; providing for severability; repealing all laws in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senator Moore:

S. B. No. 208, A bill to be entitled "An Act amending Sections 3, 4 and 5 of Article 21.14 of the Insurance Code of 1951, as amended, being Sections 3, 4 and 5 of Article 21.14 of the Acts of 1951, Regular Session, 52nd Legislature, Page 868, Chapter 491, so as to permit the licensing of corporations as agents or solicitors to provide for the precedence of this Act in event of conflict with any other law and declaring an emergency."

To the Committee on Insurance.

By Senator Spears:

S. B. No. 209, A bill to be entitled "An Act amending Acts of the Fifty-Fourth Legislature, 1955, Chapter 257, page 715, codified as Article 4494 N, Vernon's Civil Statutes of Texas, as amended by Acts of the Fifty-Sixth Legislature, 1959, Chapter 271, page 587, by adding thereto another Section, Section 2a, authorizing the assessor and collector of taxes for Bexar County, to collect taxes for the Bexar County Hospital District and to assess taxes at a greater value than that assessed for County and State purposes; and to deduct fees not exceeding 1½% of the amounts assessed and 1½% of the amounts collected; providing for an election in said County to approve such procedure; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Hall:

S. B. No. 210, A bill to be entitled "An Act making certain adjustments in the regulation and operation of statewide mutual assessment corporations, local mutual aid associations, and local mutual burial associations subject to the provisions of Senate Bill No. 236, known as the Insurance Code, Acts 1951, Regular Session 52nd Legislature, Page 868, Chapter 491, as amended, and accomplishing this purpose by: amending Art. 14.15 of the Insurance Code, as amended,

by providing Section 1. thereof requiring the filing with the State Board of Insurance on or before the 1st day of April of each year by each company or association a full sworn statement containing certain required information on forms furnished by the State Board of Insurance; providing thereafter for the State Board of Insurance to issue under certain circumstances prescribed to each company or association a certificate of authority; amending Art. 14.15 of the Insurance Code, as amended, by adding thereto Section 2, requiring each company or association annually, commencing as of December 31, 1965, to compute or cause to be computed its reserve liability under the provisions prescribed, providing such reserve liability shall be computed upon the net renewal premium basis in accordance with the reserve table adopted by the company or association as authorized on not more than a one year preliminary term basis with allowance for the authorized permissive deficiency reserve, providing each individual life policy be reserved and reserves maintained thereon, authorizing family group policies upon which a group premium is charged and upon which there is a varying benefit to be reserved in any one of three authorized methods selected by the company or association, providing health, accident, hospitalization and sickness policies shall be reserved and reserves maintained on such policies in like manner as provided in Chapter 22 of the Insurance Code, as amended, providing all such reserves shall be maintained under the conditions prescribed; amending Art. 14.15 of the Insurance Code, as amended, by adding thereto Section 3, providing that the State Board of Insurance, as soon as practical, in each year shall compute or cause to be computed the reserve liability of each company or association as prescribed and upon certain reserve tables except the Chamberlain 1956 Reserve Table with interest at  $3\frac{1}{2}\%$  is authorized to be used with allowance for the permissive deficiency reserve provided for in Chapter 14 of the Insurance Code, as amended; amending Art. 14.15 of the Insurance Code, as amended, by adding thereto Section 4, providing each company or association shall on December 31, 1965, calculate its required reserves and its net assets and designate its permissive deficiency

reserve, if any, providing such permissive deficiency reserve shall be allowed without creating the insolvency of the company or association but requiring the company or association to reduce said permissive deficiency reserve so determined; amending Art. 14.15 of the Insurance Code, as amended by adding thereto Section 5, providing any company or association possessing as of December 31, 1965, a permissive deficiency reserve equal to or in excess of 25% of its required reserve to furnish within a certain time an affidavit to the State Board of Insurance regarding its rates, providing in the event such company or association cannot furnish such affidavit certain action is required to be taken by such company or association; amending Art. 14.15 of the Insurance Code, as amended, by adding thereto Section 6, providing in the event the annual required reduction of the permissive deficiency reserve is not accomplished each year, the company or association shall by appropriate action increase rates in the manner provided, providing that if the company or association shall fail to act within thirty days following calculation of its reserves, the company or association shall be dealt with as if it were insolvent, providing during any calendar year the annual required reduction of the deficiency reserve cannot be accomplished the company or association shall increase rates in the manner prescribed, providing any such rate adjustment or readjustment shall be deemed and considered as assessments upon said policies; amending Art. 14.15 of the Insurance Code, as amended, by adding thereto Section 7, providing in the event any company or association does not possess at any future date the required reserve, less any permissive deficiency reserve, the company or association shall increase rates on policies in force in the manner provided, providing in the event of the failure of the company or association to so act in adjusting rates within thirty days following the required calculation of reserves the company or association shall be dealt with as if it were insolvent; amending Art. 14.15 of the Insurance Code, as amended, by adding thereto Section 8, providing for the payment of dividends to policyholders under certain circumstances; amending Art. 14.15 of the Insurance Code, as amended,

by adding thereto Section 9. providing in event any company or association has a permissive deficiency reserve such company or association may use or employ certain methods or procedures, or any combination thereof, to partially or totally eliminate such permissive deficiency reserve by: (a) placing a lien upon or against each individual policy and the benefits to be paid thereon, but not to exceed certain prescribed amounts, providing for earning or payment of interest thereon, providing the amount such liens so placed upon such policies shall reduce the amount of the permissive deficiency reserve, authorizing each such company or association availing itself of such plan to purchase either from itself or from any other authorized company or association one year renewable term insurance, or any other type of insurance, in the amount of all or any portion of such liens, but requiring the premiums therefor to be paid from the expense fund of the company or association, providing that any increase in the mortuary fund of the company or association above the required reserves shall be annually equitably apportioned upon such liens, (b) authorizing the conversion of the insurance policy of each insured to a term coverage containing certain required provisions and requiring consent by the individual insured or controller of said policy, (c) authorizing reduction in the amount of insurance upon consent by the individual insured or controller of said policy, and (d) authorizing any other method, plan, procedure or arrangement which may be approved by the State Board of Insurance, providing the procedures to place in effect any such plan for reduction of the permissive deficiency reserve; amending Art. 14.23 of the Insurance Code, as amended, by providing Section 1. thereof providing each company or association shall levy regular and periodical assessments in such amounts and at such proper intervals as will meet the reasonable operating expenses and pay in full the claims, providing premiums upon policies hereafter issued shall be in accordance with the reserve table standards adopted by the company or association under the conditions provided, providing premiums shall be in amounts necessary to deposit in the mortuary fund an amount at least equal to the renewal net premiums;

amending Art. 14.23 of the Insurance Code, as amended, by adding thereto Section 2. providing the circumstances and procedures under which the rates on policies in force shall be increased; amending Art. 14.23 of the Insurance Code, as amended, by adding thereto Section 3. providing the penalty for failure to comply with any required rate increase order of the State Board of Insurance; amending Art. 14.23 of the Insurance Code, as amended, by adding thereto Section 4. providing that the Board of Directors of any company or association by resolution may increase rates on life policies in force under certain conditions and requirements, providing regulation of increasing rates or adjusting rates on policies in force; amending Art. 14.23 of the Insurance Code, as amended, by adding thereto Section 5, providing that any increase in rates on policies in force shall not be placed in effect without certain advance approval of the State Board of Insurance; amending Art. 14.23 of the Insurance Code, as amended, by adding thereto Section 6. providing that each policy of insurance hereafter approved for issuance shall contain certain provisions respecting increasing rates; amending Art. 14.25 of the Insurance Code, as amended, by adding thereto Section 1. providing that certain companies or associations shall divide in a prescribed manner, assessments, or premiums, when collected into at least two funds; providing for authorized expenditures from said funds under prescribed conditions, providing certain required premiums to be charged as to policies issued after the effective date of this Act and to all policies now existing upon which the rates are increased, limiting the expense loading upon certain policies upon which rates are increased, regulating the division of premiums between funds for all policies in force on December 31, 1963 and upon all health, accident, sickness and hospitalization policies, providing certain rights as to division of premiums between funds as to existing policies; amending Art. 14.25 of the Insurance Code, as amended, by adding thereto Section 2, providing that the provisions thereof shall apply to certain companies or associations and providing for division of premiums collected by such companies between its funds and authorizing payments to be made from said funds under certain con-

ditions; amending Art. 14.25 of the Insurance Code, as amended, by adding thereto Section 3, providing each company or association shall provide in its by-laws certain provisions relating to premiums received; amending Art. 14.25 of the Insurance Code, as amended, by adding thereto a Section 4, authorizing under certain circumstances the investment of the mortuary fund and expense fund of each company or association; repealing conflicting laws and parts of laws to the extent of such conflict; providing for a severability clause; and declaring an emergency."

To the Committee on Insurance.

By Senator Watson:

S. B. No. 211, A bill to be entitled "An Act amending Article 2792 of the Revised Civil Statutes of Texas, 1925, as amended, changing the amount received for assessing and collecting taxes for independent school districts; amending Article 2795 of the Revised Civil Statutes of Texas, 1925, so as to change the amount received for assessing and collecting taxes for common school districts; providing the severability clause; and declaring an emergency."

To the Committee on Education.

By Senator Hall:

S. B. No. 212, A bill to be entitled "An Act authorizing the Board of Regents of East Texas State College to exchange certain state-owned land for certain land owned by Mr. Lloyd J. Wilkins of Commerce, Hunt County, Texas; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hall:

S. B. No. 213, A bill to be entitled "An Act relating to a change in the name of East Texas State College at Commerce, Texas; amending Chapter 361, page 833, Acts of the Fifty-fifth Legislature, 1955, so as to change the name of East Texas State College to "East Texas State University"; ratifying and confirming in behalf of "East Texas State University" all legislative Acts and appropriations heretofore passed in behalf of East Texas State College, East Texas State Teachers College or East Texas State University; and declaring an emergency."

To the Committee on Education.

By Senator Hall:

S. B. No. 214, A bill to be entitled "An Act to regulate the taking of certain fish, game, and fur-bearing animals in Fannin County; amending Section 1, Chapter 125, Acts of the 52nd Legislature, Regular Session, 1951, as amended, to remove Fannin County from the regulatory authority of the Parks and Wildlife Department; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Rogers:

S. B. No. 215, A bill to be entitled "An Act relating to the creation, administration, powers, and duties, and financing of the Swisher Memorial Hospital District in Swisher County; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Hightower and Harde-  
man:

S. J. R. No. 26, Proposing an amendment to Sections 4 and 5 of Article V of the Constitution of the State of Texas to provide for a Court of Criminal Appeals of five members; prescribing their qualifications; elections, appointment, tenure of office and compensation; and prescribing the term of court of said Court."

To the Committee on Constitutional Amendments.

By Senators Hall, Aikin and Kazen:

S. J. R. No. 27, Proposing an amendment to the Constitution of the State of Texas, amending Article III of the Constitution of the State of Texas by adding a new section thereto to be designated Section 48b, so as to create as an agency of the State of Texas the Teacher Retirement System of Texas, vesting the general administration and responsibility of the proper operation of said system in a state board of trustees to be known as the State Board of Trustees of the Teacher Retirement System of Texas, authorizing said board to invest assets of said system in various obligations and subjects of investment, subject to certain restrictions stated therein; providing that such amendment shall be self-enacting and shall not alter, amend or repeal Section 48a of Article III of the Constitution of Texas or any legislation passed pursuant thereto ex-



cept insofar as such legislation may limit or restrict the provisions of this amendment; providing for the necessary election, form of ballot, proclamation, and publication."

To the Committee on Constitutional Amendments.

#### Bill and Resolution Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bill and resolution:

H. B. No. 271, A bill to be entitled "An Act making supplemental appropriations to the Animal Health Commission, the Board of Control, State Department of Health, the Texas Water Commission and the Texas Commission on Higher Education; etc., and declaring an emergency."

Signed subject to provisions of Section 49A of Article III of the Constitution of the State of Texas.

S. C. R. No. 24, Memorializing Congress regarding reapportionment.

#### Senate Concurrent Resolution 33

Senator Hall offered the following resolution:

S. C. R. No. 33, Extending Congratulations to The Whitewright Sun and Mr. Glenn Doss on paper's 80th Anniversary.

Whereas, The Whitewright Sun, having celebrated its Eightieth Anniversary, thus making it the oldest business institution in Whitewright; and

Whereas, The Sun, recipient twice in recent years of the coveted award of Best All-Around Weekly Newspaper in the State of Texas and many awards for editorial content, advertising and general excellence; and

Whereas, The Sun is continuing to excel as a public service institution; and

Whereas, Glenn Doss has been associated with The Sun for more than 50 of its 80 years, thus devoting himself to the rigorous, difficult but satisfying life of putting out a weekly newspaper—and doing it extremely well; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that the Legislature join the many citizens of the Whitewright

area and Grayson County in extending its congratulations to The Whitewright Sun and its able and distinguished publisher, The Honorable Glenn Doss; and be it further

Resolved, That a copy of this Resolution be sent to The Whitewright Sun and Mr. Glenn Doss of Whitewright, Texas.

The resolution was read.

On motion of Senator Hall and by unanimous consent the resolution was considered immediately and was adopted.

#### Senate Resolution 91

Senator Hightower offered the following resolution:

Whereas, The Wichita Falls Times and Record News officials and staff were cited for outstanding journalism service by the Headliners Club; and

Whereas, Rhea Howard, editor and publisher, represented the newspaper in receiving an award for exceptional teamwork of writers, photographers and editors in handling of a major news story; and

Whereas, Individual awards were given to Mrs. Martha B. Steimel for first place winner in women's news writing, and to George Smiley and Ernest McGill, for winning first place in the category of spot news pictures; and

Whereas, The Wichita Falls Times and Record News has received national recognition for its distinguished record of public service; now, therefore, be it

Resolved, That the Senate of Texas congratulates the officials and staff of this publication, commends these journalists for bringing recognition to Texas, and wishes each of them continued success in their most esteemed profession.

The resolution was read and was adopted.

#### Message From the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,  
February 9, 1965.

To the Senate of the Fifty-Ninth Legislature:

I ask the advice, consent and con-

firmation of the Senate with respect to the following appointment:

To be a member of the Texas Youth Council for a six-year term to expire September 1, 1969: Robert S. Tate, Jr., of Austin, Travis County.

Respectfully submitted,  
JOHN CONNALLY,  
Governor of Texas.

#### Message From Legislative Audit Committee

The following message received from the Legislative Audit Committee was read and was referred to the Committee on Nominations:

Austin, Texas,  
February 3, 1965.

To the Senate of the 59th Legislature of the State of Texas:

This is to certify that the Legislative Audit Committee, under the provisions of Senate Bill No. 27 as passed by the 48th Legislature, did on this day appoint C. H. Cavness as State Auditor of the State of Texas for the term expiring February 15th, 1967.

It is respectfully requested that Senate confirmation be given this appointment.

#### LEGISLATIVE AUDIT COMMITTEE

PRESTON SMITH  
Lieutenant Governor

BEN BARNES  
Speaker of the House of Representatives

DORSEY B. HARDEMAN  
Chairman of the Senate Finance Committee

GRADY HAZLEWOOD  
Chairman of the Senate Committee on State Affairs

W. S. HEATLY  
Chairman of the House Appropriations Committee

BEN ATWELL  
Chairman of the House Committee on Revenue and Taxation

#### Senate Bill 157 Ordered Not Printed

On motion of Senator Reagan and by unanimous consent S. B. No. 157 was ordered not printed.

#### Senate Bill 181 Ordered Not Printed

On motion of Senator Reagan and by unanimous consent S. B. No. 181 was ordered not printed.

#### Senate Bill 193 Ordered Not Printed

On motion of Senator Word and by unanimous consent S. B. No. 193 was ordered not printed.

#### Senate Bill 2 on Second Reading

Senator Calhoun moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 2 be taken up for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

#### Nays—3

Colson	Rogers
Patman	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 2, A bill to be entitled "An Act conferring on the Railroad Commission of Texas authority to provide for the pooling of mineral interests in proration units for an oil or gas well under certain conditions; providing for the allocation of production therefrom and for appeals from such pooling orders."

The bill was read second time and was passed to engrossment.

#### Record of Votes

Senators Patman, Blanchard, Rogers and Colson asked to be recorded as voting "Nay" on the passage of S. B. No. 2 to engrossment.

#### Motion to Place Senate Bill 23 on Second Reading

Senator Parkhouse moved that Senate Rules 116 and 13, and Section 5

of Article III of the State Constitution be suspended and that S. B. No. 23 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving four-fifths vote of the Members of the Senate):

**Yeas—17**

Calhoun	Moore
Cole	Parkhouse
Colson	Ratliff
Creighton	Reagan
Crump	Schwartz
Hazlewood	Snelson
Herring	Spears
Hightower	Strong
Kennard	

**Nays—13**

Aikin	Krueger
Bates	Patman
Dies	Richter
Hall	Rogers
Hardeman	Watson
Harrington	Word
Kazen	

**Absent**

Blanchard

**Senate Bill 75 on Second Reading**

Senator Reagan moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 75 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 75, A bill to be entitled "An Act amending Section 2, Chapter 6, Acts of the 43rd Legislature, 3rd Called Session, 1934 (Article 7057c, Vernon's Texas Civil Statutes), relating to sworn statements to be made to State Comptroller by wholesaler of oleomargarine, and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Record of Votes**

Senators Colson and Strong asked to be recorded as voting "Nay" on the passage of S. B. No. 75 to engrossment.

**Senate Bill 75 on Third Reading**

Senator Reagan moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 75 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Bill 44 Laid on Table  
Subject to Call**

On motion of Senator Ratliff and by unanimous consent S. B. No. 44 was Laid on the Table Subject to Call.

**Senate Bill 43 on Second Reading**

Senator Ratliff moved that Senate

Rules 116, 13 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 43 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 43, A bill to be entitled "An Act to authorize and require the appointment of an official shorthand reporter of the 39th Judicial District of Texas; fixing a maximum and minimum salary to be paid in addition to compensation for transcripts, statement of facts and other fees; and fixing allowance for travel and hotel expenses, providing the time, method and manner of payment; repealing all laws or parts of laws in conflict; providing a saving clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 43 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 43 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Bates
-------	-------

Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Memorial Resolutions

S. R. No. 86—By Senator Watson: Memorial resolution for J. K. (Jim) Holdar.

S. R. No. 87—By Senator Watson: Memorial resolution for Mrs. R. W. (Ela) Bass.

S. R. No. 88—By Senator Watson: Memorial resolution for W. B. Honeycutt, Sr.

## Welcome Resolutions

S. R. No. 89—By Senator Herring: Extending welcome to students and teacher of Zilker School in Austin.

S. R. No. 90—By Senator Spears: Extending welcome to members of San Antonio Women's Federation League and guests.

S. R. No. 93—By Senator Watson: Extending welcome to students and teacher of Rockdale High School.

S. R. No. 94—By Senator Moore: Extending welcome to members of Senior Class, teacher and sponsors of Frost High School.

## Adjournment

On motion of Senator Hardeman the Senate at 11:31 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

**In Memory of**

**John Knox**

---

Senator Moore offered the following resolution:

(Senate Resolution 92)

Whereas, The loss of our friend, historian and lifelong resident; better known as "Mr. Lee County"; John Knox, was called from his earthly home on Sunday, September 20, 1964; and

Whereas, Mr. Knox served many years as surveyor and abstractor in Lee County; and

Whereas, He was a historian and was considered the authority on Lee County; and he was a member of the Lee County Historical Society; Mr. Knox helped erect a monument in memory of Confederate General Robert E. Lee; and he was installed as a trustee of the Central Texas Area Museum in Salado; and

Whereas, He served for forty years as a ruling elder and clerk of the session of the Presbyterian Church; and also a member of the J. D. Giddings Masonic Lodge since 1907; and

Whereas, Mr. Knox was a collector of guns and other relics for over fifty years; and he was known to have the best private gun collection in the state; and

Whereas, His desire was to open a county historical museum; now, therefore, be it

Resolved, That the Senate of Texas does hereby express its deep and abiding sympathy to the members of his family and that copies of this Resolution under the Seal of the Senate, be sent to his survivors, namely his four children, Mrs. John A. Marcia of Dallas; John Knox Jr., Robert M. Knox and Louis Knox, all of Giddings; two sisters, Mrs. Mary Oxford of Clifton and Mrs. Betty Tipton of Moseheim; two brothers, William A. Knox of Waco and L. M. Knox of Palestine; and be it further

Resolved, That a page be set aside in the Senate Journal as a memorial to John Knox and that when the Senate adjourns today that it do so in his memory.

The resolution was read and was adopted by a rising vote of the Senate.